



Cynthia S. Betz

Partner

T. 973-848-5377

F. 973-297-6636

cbetz@mccarter.com

McCarter & English, LLP

Four Gateway Center

100 Mulberry Street

Newark, NJ 07102-4056

www.mccarter.com

October 6, 2023

BY ECF

The Honorable Michael A. Hammer, U.S.M.J.
United States District Court for the District of New Jersey
Martin Luther King Federal Bldg. & U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07102

Re: Merck & Co., Inc., et al. v. Merck KGaA, Civil Action No. 16-266 (ES/MAH)

Dear Judge Hammer:

We represent Plaintiffs in this matter. Together with counsel for Defendant, we write to request an extension of the time to file redacted copies and a motion to seal associated with the proposed Final Pretrial Order filed on September 25, 2023 (ECF No. 227) and the anticipated Final Pretrial Order that the Court will enter after the Final Pretrial Conference, currently scheduled for November 21, 2023.

Under the local rules, the redacted copy of the proposed Final Pretrial Order and a motion to seal are due on October 10, 2023. The parties are conferring about what portions of this document are confidential and require additional time to discuss redactions. In addition, considering the order that the Court will enter after the Final Pretrial Conference will implicate the identical confidential material, we respectfully request permission to file a consolidated motion to seal to cover both documents two weeks after the Court enters the Final Pretrial Order.

If this request is agreeable to the Court, we respectfully request Your Honor endorse this letter below as "So Ordered" and have it placed on the docket.

We appreciate the Court's attention to this matter.

Respectfully,

/s/ Cynthia S. Betz

Cynthia S. Betz

SO ORDERED this 10th day of October 2023

s/ Michael A. Hammer

Hon. Michael A. Hammer, U.S.M.J.